

MINUTE ITEM

28. SELECTION AND SALE OF VACANT FEDERAL LAND, LIEU LAND APPLICATION NO. 10511, LOS ANGELES LAND DISTRICT, RIVERSIDE COUNTY, IVAN E. MCKINLEY - S.W.O. 5416.

After consideration of Calendar Item 9 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND EMBRACED IN THE $W\frac{1}{2}$ OF $W\frac{1}{2}$ OF $SE\frac{1}{4}$ OF $SE\frac{1}{4}$, AND THE $NE\frac{1}{4}$ OF $NE\frac{1}{4}$ OF $SE\frac{1}{4}$ OF SECTION 26, AND THE $SE\frac{1}{4}$ OF $SW\frac{1}{4}$ OF SECTION 36, T. 6 S., R. 1 E., S.B.M., CONTAINING A TOTAL OF 60 ACRES IN RIVERSIDE COUNTY;
2. FINDS THAT SAID LAND IS NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION;
3. APPROVES THE SELECTION OF SAID LAND; AND
4. AUTHORIZES THE SALE OF SAID LAND, FOR CASH, TO IVAN E. MCKINLEY, AT THE APPRAISED PRICE OF \$2,895, SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS, UPON THE LISTING (CONVEYANCE) OF SAID LAND TO THE STATE BY THE FEDERAL GOVERNMENT.

Attachment:

Calendar Item 9 (2 pages)

CALENDAR ITEM

9.

SELECTION AND SALE OF VACANT FEDERAL LAND, LIEU LAND APPLICATION NO. 10511, LOS ANGELES LAND DISTRICT, RIVERSIDE COUNTY, IVAN E. MCKINLEY - S.W.O. 5416.

An offer has been received from Ivan E. McKinley of Riverside, California, to purchase the $W\frac{1}{2}$ of $W\frac{1}{2}$ of $SE\frac{1}{4}$ of $SE\frac{1}{4}$, and the $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 26, and the $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of Section 36, T. 6 S., R. 1 E., S.B.M., containing a total of 60 acres in Riverside County. This land may be obtained by the State under the indemnity selection procedure. The applicant made an offer of \$300, or \$5 per acre.

A staff appraisal shows that the land is not suitable for cultivation without artificial irrigation and establishes its value at an average of \$48.25 per acre, or a total of \$2,895. The applicant deposited the necessary amount to meet this value.

The selection of the subject land is considered to be to the advantage of the State in that it will assist the State in satisfying the loss to the School Land Grant and in addition, after sale, will place the land on the tax rolls of the county in which it is situated.

The application of the State to select the above-described land from the public domain of the United States as indemnity for other lands has been protested throughout its pendency by Mrs. Augusta G. Stanley of Hemet, California. The interests of Mrs. Stanley resulted from a public sale application filed by her directly with the United States as to a portion of the land. This application was filed prior to the State's application to the United States. Access rights over the lands in question, and mining claims filed by Mrs. Stanley some years after the filing of the State's application were also involved. The appeals and contests initiated by Mrs. Stanley were carried to the Secretary of the Interior and resulted in a determination in favor of the State, with a reservation for access over the lands for the benefit of Mrs. Stanley. The applicant to the State, Ivan E. McKinley, has maintained his application in good standing throughout, and therefore is entitled to receive a patent from the State of California upon the listing (conveyance) of the land to the State in accordance with the provisions of Sections 2400 to 2402, inclusive, of Title 2, Division 3 of the California Administrative Code (rules and regulations of the Commission).

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND EMBRACED IN THE $W\frac{1}{2}$ OF $W\frac{1}{2}$ OF $SE\frac{1}{4}$ OF $SE\frac{1}{4}$, AND THE $NE\frac{1}{4}$ OF $NE\frac{1}{4}$ OF $SE\frac{1}{4}$ OF SECTION 26, AND THE $SE\frac{1}{4}$ OF $SW\frac{1}{4}$ OF SECTION 36, T. 6 S., R. 1 E., S.B.M., CONTAINING A TOTAL OF 60 ACRES IN RIVERSIDE COUNTY;
2. FIND THAT SAID LAND IS NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION;

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3. APPROVE THE SELECTION OF SAID LAND; AND
4. AUTHORIZE THE SALE OF SAID LAND, FOR CASH, TO IVAN E. McKINLEY, AT THE APPRAISED PRICE OF \$2,895, SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESEPVATIONS INCLUDING MINERALS, UPON THE LISTING (CONVEYANCE) OF SAID LAND TO THE STATE BY THE FEDERAL GOVERNMENT.